



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

MICHAEL VIVIANO
Senior Counsel
Email: mviviano@law.nyc.gov
Tel.: (212) 356-2368

VIA ECF

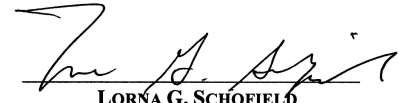
Honorable Lorna G. Schofield
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Application **GRANTED**. Defendants shall file their status letter proposing next steps in this case by **September 15, 2023**. If Plaintiff chooses to respond to Defendants' status letter, Plaintiff may do so by **October 13, 2023**.

The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff.

Dated: August 31, 2023
New York, New York

Re: Tommy Barnes v. City of New York, et al.,
18 CV 7119 (LGS) (OTW)


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Your Honor:

I am a Senior Corporation Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and one of the attorney for defendants City of New York, Sergeant Kenneth Caesar, Officer Michael Manetta and Officer Nicholas Mauceli in the above-referenced matter. I write pursuant to the Court's August 28, 2023 Order which ordered that, by September 1, 2023, Defendants shall file a status letter detailing the next steps in this matter. In accordance with that Order, Defendants respectfully request an enlargement of time, from September 1, 2023, until September 15, 2023, in order to appropriately comply with the Court's order. This is Defendants' first request for an extension of time to respond to the order dated August 28, 2023.

The reason for the brief extension is because the assigned Assistant Corporation Counsel, Mr. Schemitsch, is currently out of office until September 8, 2023, and will require time upon his return to familiarize himself with this matter and prepare the next steps moving forward for the Court. Moreover, he is currently in a location without adequate service therefore he cannot begin this assignment immediately. In his absence, the undersigned will provide plaintiff with the Second Circuit's opinion remanding several of the claims, and a print-out of the Court's order, indicating that counsel provide the Court with an update. Defendants respectfully submit that a brief extension until September 15, 2023 will not unduly delay this action.

Defendants thank the Court for its time and consideration in this matter.

Respectfully submitted,

Michael Viviano /s

Michael Viviano

Senior Counsel

Special Federal Litigation Division

BY FIRST CLASS MAIL

TO: Tommy Barnes,
DIN No. 16-A-2831
Great Meadow Correctional Facility
11739 State Route 22
P.O. Box 51
Comstock, NY 12821-0051
PRO SE